

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

ABBVIE INC., et al.,

Plaintiffs,

v.

LIZ MURRILL, in her official
capacity as Attorney General of
Louisiana,

Defendant.

Case No. 6:23-CV-01307

**JUDGE: Robert R.
Summerhays**

**MAGISTRATE JUDGE:
Carol B. Whitehurst**

**OPPOSED MOTION TO INTERVENE BY THE LOUISIANA PRIMARY CARE
ASSOCIATION**

The Louisiana Primary Care Association (“LPCA” or the “Proposed Intervenor”) respectfully moves this Court to grant its request to intervene as of right pursuant to Federal Rule of Civil Procedure (“Rule”) 24(a), or, alternatively, to intervene permissively pursuant to Rule 24(b), as a Defendant in the above-captioned case. In support of its Motion, the Proposed Intervenor relies on the accompanying Memorandum and Answer to Plaintiffs’ Complaint. If the Court grants LPCA’s motion to intervene, LPCA will comply with the deadlines applicable to Defendant in the briefing schedule set by this Court on December 11, 2023. Order, ECF No. 22.

Plaintiffs, AbbVie, Inc., et al., challenge Louisiana Act 358 of 2023 (“Act 358”) (codified at La. Stat. Ann. §§ 40:2881 to 2886), which requires pharmaceutical manufacturers to ship drugs discounted under the federal 340B drug pricing program (“340B Program”) to pharmacies under contract with Louisiana safety-net providers. LPCA notes that this Court granted LPCA’s

motions to intervene in two similar actions challenging Act 358 and respectfully suggests that the Court should also grant LPCA's motion in this case. Order Granting Motion to Intervene, *Pharm. Rsch. & Mfgs. of Am. v. Landry*, No. 6:23-cv-00997-RRS-CBW, ECF No. 26; Order Granting Motion to Intervene, *AstraZeneca Pharm. LP v. Landry*, No. 6:23-cv-01042-RRS-CBW, ECF No. 29.

In accordance with Local Rule 7.6, the undersigned counsel have presented this motion and supporting memorandum to all parties who have an interest to oppose it. In accordance with Local Rule 7.4.1 and 7.6, the undersigned counsel for LPCA certify that they attempted to obtain consent for the filing and granting of this motion from all parties having an interest to oppose. Defendant does not object to intervention by LPCA. Plaintiffs oppose this motion.

Dated: January 19, 2024

Respectfully submitted,

/s/Carroll Devillier, Jr.

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